

# **EXHIBIT 1**

**Miller, Barry**

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**From:** Miller, Barry  
**Sent:** Friday, September 14, 2012 4:21 PM  
**To:** pgordon@gordonllp.com  
**Cc:** Alfred, Richard; Schauer, Jessica M  
**Subject:** Reyes, et al. v. SJ Services, Inc., et al.  
**Attachments:** SJ Services - Ntc of Removal.pdf

Phil,

As you probably noticed, we have removed the Reyes case to federal court on the grounds that the plaintiffs' claims are preempted by Section 301 of the Labor Management Relations Act. As described in the removal petition, it is plain that the claims asserted in that action are subject to the arbitration provisions of the collective bargaining agreement that governs Ms. Reyes' and Ms. Martinez's employment with the defendants. Because there is no colorable argument that the plaintiffs' claims can proceed in court, pursuant to Local Rule 7.1, we request that you stipulate to the dismissal of the claims asserted in the action. If we are required to file a motion to dismiss in order to terminate the lawsuit, defendants anticipate moving for an award of attorneys' fees and costs in conjunction with that motion. Please let us know before the close of business on Wednesday, September 19, whether you will stipulate to the dismissal. If you would like to discuss any aspect of the case in the meantime, feel free to give me a call.

Regards,

Barry J. Miller  
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